

REMARKS

After entry of the foregoing amendment, claims 1-15 are pending in the application. Claims 7-15 are new.

Changes have been made to correct minor typographical mistakes in the specification.

Claims 1-6 stand rejected over Ariyavistakul (5,084,891) in view of Hembrooke (3,004,104).

Ariyavistakul discloses a technique for jointly performing bit synchronization and error detection in a TDMA cell phone system.

Hembrooke is concerned with deterring the unauthorized recording and rebroadcasting of musical performances (col. 1, lines 25-26). To address this problem Hembrooke selectively routes the music through a narrow notch filter in a Morse code fashion, to remove a narrow spectrum of sound from the music in a pattern that represents letters, *e.g.*, M U Z A K (Fig. 2).

The rejections of applicant's claims 1-6 over such art are respectfully traversed.

Unlike popular music, the unauthorized recording and rebroadcasting of cell phone conversations is not a problem facing the industry; it is certainly not mentioned as a problem by any of the cited art. Accordingly, there would seem to be no reason for an artisan to look to Hembrooke's teachings to combine with Ariyavistakul. Applicant respectfully submits that the rejection has been tainted by hindsight. Reconsideration is solicited.

Claims 7-15 are newly added. Claims 7-10 further define the arrangements of claims 1 and 4, *e.g.*, specifying that the encoding includes additively combining an overlay signal with the input information, and that the overlay signal is dependent both on the auxiliary code and on the input information. (Support therefor is found, *e.g.*, at page 9, lines 10, and 18-27.)

New claim 11 is drawn to the use of both in-band and out-of-band signaling with an audio transmission. (Support therefor is found, *e.g.*, at page 3, line 4, and at page 2, line 7.)

New independent claim 13 is drawn to methods in which steganographic encoding by a wireless device is based, at least in part, on data wireless received by the device from a remote source. (Support therefor is found, *e.g.*, at page 18, lines 12-14.)

New independent claim 15 is drawn to a method in which an aspect of a device's

operation is changed through use of data that is steganographically encoded in a transmission wirelessly received by said device. (Support therefor is found, *e.g.*, at page 20, lines 6-16.)

The Examiner is invited to telephone the undersigned if it might be helpful in concluding prosecution.

Date: September 13, 2005

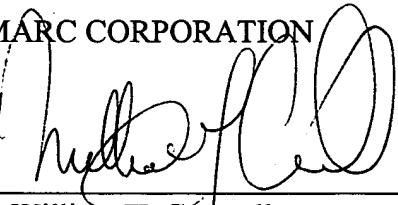
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Respectfully submitted,

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